NOTICE IS HEREBY GIVEN that JPMorgan Chase Bank, N.A., as administrative



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agent under the Prepetition Credit Agreement¹ (the "Agent") and the Settling Builders (together, the "Plan Proponents"), filed the Motion For Entry Of Order Approving (A) The Disclosure Statement, (B) Plan Proponents' Limited Use of BMC Group, Inc.'s Services, (C) The Form, Scope, And Nature Of Solicitation, Balloting, Tabulation, And Notices With Respect To The Plan Of Reorganization Filed By JPMorgan Chase Bank, N.A., As Administrative Agent Under The Prepetition Credit Agreement, And The Settling Builders, And (D) Related Confirmation Procedures, Deadlines, And Notices (the "Motion") on August 1, 2011. The Motion asks the Bankruptcy Court to enter an order pursuant to Sections 105 and 1125 of the Bankruptcy Code and Bankruptcy Rules 2002, 3002, 3017, 3018, 9006, and 9007, (i) approving the *Disclosure* Statement For The Joint Plan Of Reorganization Proposed By JPMorgan Chase Bank, N.A., As Administrative Agent Under The Prepetition Credit Agreement, And The Settling Builders (as may be further amended, modified, or supplemented, the "Disclosure Statement"), (ii) approving the Plan Proponents' use of BMC Group, Inc.'s services for the purpose of soliciting and tabulating votes on the Plan, (iii) approving certain deadlines and procedures relating to plan solicitation, tabulation of ballots, and plan confirmation, and (iv) approving the form and scope of notice of those deadlines and procedures, as proposed herein, with respect to the *Joint Plan Of* Reorganization Proposed By JPMorgan Chase Bank, N.A., As Administrative Agent Under The Prepetition Credit Agreement, And The Settling Builders (as may be further amended, modified, or supplemented, the "Plan") and the Disclosure Statement. Requests for copies of the Disclosure Statement and Plan shall be addressed to counsel for either of the Plan Proponents: Morrison & Foerster LLP Stutman Treister & Glatt PC Attn: Jordan A. Wishnew Attn: K. John Shaffer 1290 Avenue of the Americas 1901 Avenue of the Stars, 12th Floor

New York, New York 10104 E-mail: jwishnew@mofo.com

Los Angeles, California 90067 E-mail: jshaffer@stutman.com

Capitalized terms not otherwise defined herein have the meaning ascribed to them in the Plan.



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Any opposition to the Motion must be filed pursuant to Bankruptcy 3017(a) and Local Rule 9014(d)(1).

NOTICE IS FURTHER GIVEN that if you do not want the Court to grant the relief sought in the Motion, or if you want the Court to consider your views on the Motion, then you must file an opposition with the Court, and serve a copy on the person making the Motion no later than August 29, 2011 at 4:00 p.m. (prevailing Pacific time). The opposition must (a) state the name and address of the objecting party and the nature of the Claim or Interest of such party, and (b) state with particularity the basis and nature of any objection or response, set forth all relevant facts and legal authority, and be supported by affidavits or declarations that conform to Local Rule 9014(c), and include, where appropriate, proposed language to be inserted in the Disclosure Statement to resolve any such objection or response.

If you object to the relief requested, you must file a WRITTEN response to these Pleadings with the Court. You must also serve your written response on the person who sent you this notice.

If you do not file a written response with the court, or if you do not serve your written response on the person who sent you this notice, then:

- •The court may refuse to allow you to speak at the scheduled hearing; and
- The court may rule against you without formally calling the matter at the hearing.

A copy of the Motion is available upon request from counsel whose contact information is stated above; copies are also available for inspection at the Clerk's Office, Foley Federal Building, 300 Las Vegas Boulevard South, Las Vegas, Nevada 89101 during normal business hours. Electronic copies are also available through PACER, located at the Court's website at http://ecf.nvb.uscourts.gov (PACER account required).2

NOTICE IS FURTHER GIVEN that the hearing on said Motion will be held before a United States Bankruptcy Judge, in the Foley Federal Building, 300 Las Vegas Boulevard South, Bankruptcy Courtroom No. 3, Las Vegas, Nevada 89101, on September 7, 2011, at 9:30 a.m. (prevailing Pacific time).

² A copy may be obtained without charge from the website of BMC Group, http://www.bmcgroup.com/restructuring/geninfo.aspx?ClientID=272.

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